

“(1) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the ‘Information System and Network Security Fund’.

“(2) CONTENTS OF FUND.—

“(A) IN GENERAL.—The Fund shall consist of such amounts as may be appropriated for deposit in the Fund.

“(B) AVAILABILITY.—

“(i) IN GENERAL.—Amounts deposited in the Fund shall remain available through the end of the tenth fiscal year beginning after the date on which funds are first appropriated to the Fund.

“(ii) REMAINDER TO TREASURY.—Any unobligated balances in the Fund after the date described in clause (i) are rescinded and shall be transferred to the general fund of the Treasury.

“(3) USE OF FUND.—

“(A) IN GENERAL.—Amounts deposited in the Fund shall be available to the Director to distribute to eligible entities pursuant to this subsection, in such amounts as the Director determines appropriate, subject to subparagraph (B).

“(B) DISTRIBUTION.—The amounts distributed to eligible entities under this paragraph shall be made for a specific network security purpose, including to enable network recovery from an event affecting the network cybersecurity of the eligible entity.

“(4) ADMINISTRATION OF FUND.—The Director, in consultation with the Secretary and in coordination with the head of each Sector Risk Management Agency, shall—

“(A) establish criteria for distribution of amounts under paragraph (3); and

“(B) administer the Fund to support network security for eligible entities.

“(5) REPORT REQUIRED.—For each fiscal year for which amounts in the Fund are available under this subsection, the Director shall submit to Congress a report that—

“(A) describes how, and to which eligible entities, amounts from the Fund have been distributed;

“(B) details the criteria established under paragraph (4)(A); and

“(C) includes any additional information that the Director determines appropriate, including projected requested appropriations for the next fiscal year.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for deposit in the Fund \$1,500,000,000, which shall remain available until the last day of the tenth fiscal year beginning after the fiscal year during which funds are first appropriated for deposit in the Fund.

“SEC. 2220B. PUBLIC AWARENESS OF CYBERSECURITY OFFERINGS.

“(a) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Director shall establish a public awareness campaign relating to the cybersecurity services of the Federal Government.

“(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director \$10,000,000 for each of fiscal years 2022 through 2031 to carry out subsection (a).

“SEC. 2220C. DARK WEB ANALYSIS.

“(a) DEFINITION OF DARK WEB.—In this section, the term ‘dark web’ means a part of the internet that—

“(1) cannot be accessed through standard web browsers; and

“(2) requires specific software, configurations, or authorizations for access.

“(b) AUTHORITY TO ANALYZE.—The Director may monitor the internet, including the dark web, for evidence of a compromise to critical infrastructure.

“(c) MONITORING CAPABILITIES.—The Director shall develop, institute, and oversee capabilities to carry out the authority of the Director under subsection (b).

“(d) NOTIFICATION.—If the Director finds credible evidence of a compromise to critical infrastructure under subsection (c), as soon as is practicable after the finding, the Director shall notify the owner or operator of the compromised critical infrastructure in a manner that protects the sources and methods that led to the finding of the compromise.”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 2202(c) of the Homeland Security Act of 2002 (6 U.S.C. 652(c)) is amended—

(A) in the first paragraph (12), by striking “section 2215” and inserting “section 2217”; and

(B) by redesignating the second and third paragraphs (12) as paragraphs (13) and (14), respectively.

(3) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by striking the item relating to section 2214 and all that follows through the item relating to section 2217 and inserting the following:

“Sec. 2214. National Asset Database.

“Sec. 2215. Duties and authorities relating to .gov internet domain.

“Sec. 2216. Joint Cyber Planning Office.

“Sec. 2217. Cybersecurity State Coordinator.

“Sec. 2218. Sector Risk Management Agencies.

“Sec. 2219. Cybersecurity Advisory Committee.

“Sec. 2220. Cybersecurity education and training programs.

“Sec. 2220A. Information System and Network Security Fund.

“Sec. 2220B. Public awareness of cybersecurity offerings.

“Sec. 2220C. Dark web analysis.”.

(4) ADDITIONAL TECHNICAL AMENDMENT.—

(A) AMENDMENT.—Section 904(b)(1) of the DOTGOV Act of 2020 (title IX of division U of Public Law 116-260) is amended, in the matter preceding subparagraph (A), by striking “Homeland Security Act” and inserting “Homeland Security Act of 2002”.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if enacted as part of the DOTGOV Act of 2020 (title IX of division U of Public Law 116-260).

SA 4369. Mr. PORTMAN (for himself, Mr. PETERS, Ms. SINEMA, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XVI, insert the following:

SEC. 16 ____ . AUTHORITY FOR NATIONAL CYBER DIRECTOR TO ACCEPT DETAILS ON NONREIMBURSABLE BASIS.

Section 1752(e) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283) is amended—

(1) by redesignating paragraphs (1) through (8) as subparagraphs (A) through (H), respectively, and indenting such subparagraphs two ems to the right;

(2) in the matter before subparagraph (A), as redesignated by paragraph (1), by striking “The Director may” and inserting the following:

“(1) IN GENERAL.—The Director may”;

(3) in paragraph (1)—

(A) as redesignated by paragraph (2), by redesignating subparagraphs (C) through (H) as subparagraphs (D) through (I), respectively; and

(B) by inserting after subparagraph (B) the following new subparagraph (C):

“(C) accept officers or employees of the United States or member of the Armed Forces on a detail from an element of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) or from another element of the Federal Government on a nonreimbursable basis, as jointly agreed to by the heads of the receiving and detailing elements, for a period not to exceed three years;”;

(4) by adding at the end the following new paragraph:

“(2) RULES OF CONSTRUCTION REGARDING DETAILS.—Paragraph (1)(C) shall not be construed to impose any limitation on any other authority for reimbursable or nonreimbursable details. A nonreimbursable detail made under such paragraph shall not be considered an augmentation of the appropriations of the receiving element of the Office of the National Cyber Director.”.

SA 4370. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . MODERNIZATION OF NATIONAL SECURITY CRIMES.

(a) PENALTY FOR EXTRATERRITORIAL KILLING OF A UNITED STATES NATIONAL FOR TERRORIST PURPOSES.—Section 2332(a) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting “in the first degree” after “murder”;

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following:

“(2) if the killing is murder in the second degree (as defined in section 1111(a)), be fined under this title, punished by imprisonment for any term of years or for life, or both;”;

(4) in paragraph (3), as so redesignated, by striking “ten years” and inserting “15 years”; and

(5) in paragraph (4), as so redesignated, by striking “three years” and inserting “8 years”.

(b) CLARIFYING UNITED STATES JURISDICTION IN CONSPIRACY CASES.—Section 956 of title 18, United States Code, is amended—

(1) in subsection (a)(1), by striking “, within the jurisdiction of the United States,”; and

(2) in subsection (b), by striking “, within the jurisdiction of the United States,”.

(c) EXPANDING OFFENSE OF HOSTAGE TAKING AGAINST UNITED STATES NATIONALS ABROAD.—Section 1203 of title 18, United States Code, is amended—

(1) in subsection (a), by inserting after “release of the person detained,” the following: “or in order to coerce, intimidate, or retaliate against a governmental organization or a civilian population,”; and

(2) in subsection (b)—

(A) in paragraph (1)(C), by inserting after “compelled” the following: “, coerced, intimidated, or retaliated against”; and

(B) in paragraph (2), by inserting after “compelled” the following: “, coerced, intimidated, or retaliated against”.

(d) EXPANDING AVAILABILITY OF SUPERVISED RELEASE IN TERRORISM-RELATED JUVENILE PROCEEDINGS.—Section 5037(d) of title 18, United States Code, is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “may not extend”; and

(B) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(C) by inserting before clause (i), as so redesignated, the following:

“(A) except as provided in subparagraph (B), may not extend—”;

(D) in subparagraph (A), as so designated—

(i) in clause (i), as so redesignated, by striking “a term that extends”; and

(ii) in clause (ii), as so redesignated—

(I) by striking “a term that extends”; and

(II) by striking the period at the end and inserting “; or”; and

(E) by adding at the end the following:

“(B) may not extend beyond the date that is 10 years after the date when the juvenile becomes 21 years old if the juvenile—

“(i) is charged with an offense listed in section 2332b(g)(5)(B); and

“(ii) is eligible under section 5032 for a motion to transfer to adult status, but is not transferred to adult status.”;

(2) in paragraph (5), in the fifth sentence, by inserting after “26th birthday,” the following: “in the case of a juvenile described in paragraph (2)(B), no term of official detention may continue beyond the juvenile’s 31st birthday.”; and

(3) in paragraph (6), in the second sentence, by inserting after “26th birthday,” the following: “in the case of a juvenile described in paragraph (2)(B), no term of juvenile delinquent supervision may continue beyond the juvenile’s 31st birthday.”.

(e) EXPANDING USE OF SUPERVISED RELEASE FOR CONVICTED TERRORISTS.—Section 5583(j) of title 18, United States Code, is amended—

(1) by striking “for any offense” and inserting the following: “for—

“(1) any offense”;

(2) by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(2) an offense under section 371 (relating to conspiracy to commit offense against or defraud the United States), when the charge includes an offense listed in section 2332b(5)(B) as the predicate for the conspiracy, is not more than 10 years.”.

(f) CLARIFYING PROCESS FOR PROTECTING CLASSIFIED INFORMATION UNDER THE CLASSIFIED INFORMATION PROCEDURES ACT.—Section 4 of the Classified Information Procedures Act (18 U.S.C. App.) is amended—

(1) by striking “The court, upon” and inserting the following:

“(a) IN GENERAL.—The court, upon”; and

(2) by adding at the end the following:

“(b) PROCEDURE.—If the United States seeks to delete, withhold, or otherwise obtain other relief under subsection (a) with respect to the discovery of any classified information, the United States may object to the disclosure of such classified information, supported by an ex parte declaration signed by any knowledgeable official of the United States possessing authority to classify such information that sets forth the identifiable damage to the national security that the disclosure of such information reasonably could be expected to cause.”.

(g) CLARIFYING APPLICATION OF CLASSIFIED INFORMATION PROCEDURES ACT IN JUVENILE PROCEEDINGS.—Section 1 of the Classified In-

formation Procedures Act (18 U.S.C. App.) is amended by adding at the end the following:

“(c) In this Act, the terms ‘criminal prosecution’, ‘criminal case’, and ‘criminal proceeding’, and any related terms, include proceedings under chapter 403 of title 18, United States Code.”.

(h) CLARIFYING THAT TERRORISTS MAY QUALIFY FOR TRANSFER TO ADULT STATUS UNDER JUVENILE TRANSFER PROVISION.—

(1) DELINQUENCY PROCEEDINGS IN DISTRICT COURTS; TRANSFER FOR CRIMINAL PROSECUTION.—Section 5032 of title 18, United States Code, is amended—

(A) in the first undesignated paragraph—

(i) by striking “or section 1002(a),” and inserting “section 1002(a),”; and

(ii) by striking “section 922(x) or section 924(b), (g), or (h)” and inserting “or section 922(x), 924(b), (g), or (h), or 2332b(g)(5)(B)”; and

(B) in the fourth undesignated paragraph—

(i) in the first sentence—

(I) by striking “or section 1002(a),” and inserting “section 1002(a),”; and

(II) by striking “or section 922(x) of this title, or in section 924(b), (g), or (h)” and inserting “or section 922(x), 924(b), (g), or (h), or 2332b(g)(5)(B)”; and

(ii) in the second sentence—

(I) by striking “crime of violence is an offense under” and inserting “crime is an offense described in”; and

(II) by inserting “or 2332b(g)(5)(B),” after “1113,”; and

(iii) in the fourth sentence, by striking “(i) or 2275” and inserting “or (i), 2275, or 2332b(g)(5)(B)”.

(2) USE OF JUVENILE RECORDS.—Section 5038 of title 18, United States Code, is amended—

(A) in subsection (d), in the first sentence—

(i) by striking “or section 1001(a),” and inserting “, section 1001(a),”; and

(ii) by inserting “or section 2332b(g)(5)(B) of this title,” after “Controlled Substances Import and Export Act,”; and

(B) in subsection (f)—

(i) by striking “or section 1001(a),” and inserting “, section 1001(a),”; and

(ii) by inserting “or section 2332b(g)(5)(B) of this title,” after “Controlled Substances Import and Export Act,”.

SA 4371. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . NATIONAL DEEPIFAKE AND DIGITAL PROVENANCE TASK FORCE.

(a) DEFINITIONS.—In this section:

(1) DIGITAL CONTENT FORGERY.—The term “digital content forgery” means the use of emerging technologies, including artificial intelligence and machine learning techniques, to fabricate or manipulate audio, visual, or text content with the intent to mislead.

(2) DIGITAL CONTENT PROVENANCE.—The term “digital content provenance” means the verifiable chronology of the origin and history of a piece of digital content, such as an image, video, audio recording, or electronic document.

(3) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a private sector or nonprofit organization; or

(B) an institution of higher education.

(4) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(5) RELEVANT CONGRESSIONAL COMMITTEES.—The term “relevant congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security and the Committee on Oversight and Reform of the House of Representatives.

(6) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

(7) TASK FORCE.—The term “Task Force” means the National Deepfake and Provenance Task Force established under subsection (b)(1).

(b) ESTABLISHMENT OF TASK FORCE.—

(1) ESTABLISHMENT.—The Secretary, in coordination with the Director of the Office of Science and Technology Policy, shall establish a task force, to be known as “the National Deepfake Provenance Task Force”, to—

(A) investigate the feasibility of, and obstacles to, developing and deploying standards and technologies for determining digital content provenance;

(B) propose policy changes to reduce the proliferation and impact of digital content forgeries, such as the adoption of digital content provenance and technology standards; and

(C) serve as a formal mechanism for public and private sector coordination and information sharing to facilitate the creation and implementation of a coordinated plan to address the growing threats posed by digital content forgeries.

(2) MEMBERSHIP.—

(A) CO-CHAIRPERSONS.—The following shall serve as co-chairpersons of the Task Force:

(i) The Secretary or a designee of the Secretary.

(ii) The Director of the Office of Science and Technology Policy or a designee of the Director.

(B) COMPOSITION.—The Task Force shall be composed of 12 members, of whom—

(i) 4 shall be representatives from the Federal Government, including the co-chairpersons of the Task Force;

(ii) 4 shall be representatives from institutions of higher education; and

(iii) 4 shall be representatives from private or nonprofit organizations.

(C) APPOINTMENT.—Not later than 120 days after the date of enactment of this Act, the co-chairpersons of the Task Force shall appoint members to the Task Force in accordance with subparagraph (A) from among technical and legal experts in—

(i) artificial intelligence;

(ii) media manipulation;

(iii) digital forensics;

(iv) secure digital content and delivery;

(v) cryptography;

(vi) privacy;

(vii) civil rights; or

(viii) related subjects.

(D) TERM OF APPOINTMENT.—The term of a member of the Task Force shall end on the date described in subsection (g)(1).

(E) VACANCY.—Any vacancy occurring in the membership of the Task Force shall be filled in the same manner in which the original appointment was made.

(F) EXPENSES FOR NON-FEDERAL MEMBERS.—Members of the Task Force described in clauses (ii) and (iii) of subparagraph (B) shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees under subchapter I of